

REMARKS

Reconsideration of the subject application is requested. It is believed that the application, as amended is in condition for allowance because of the following reasons. Re-written claim 11 meets the Examiner's condition for allowance. Mascio (Italy), the Examiner's primary reference for the 35 USC 102(b) and 35 USC 103(a), rejections neither teaches nor suggests a pair of jaws and a means for clamping the jaws in a bag carrier. Numeral 1 in the Examiner's attachment office action neither designates a pair of jaws, nor does "g" designate a means for clamping and releasing a pair of jaws. Nor is there any suggestion or motivations in the applied references for combining Mascio (Italy) with White U.S. 5,621,950 to reject claim claims 21-23 and 26 under 25 USC 1-3(a). Nor would "teeth" serve any useful purpose in Mascio (Italy).

The Examiner's attention is directed to the translation of Mascio (Exhibit "A") which is attached hereto. Mascio teaches a shopping cart made from two frames of metal tubing with a cloth bag attached to the cart "by means of leather straps, both at the top (Fig. 6, letter g) and the trapezoidal shelf." Applicants' carrier is specific to transporting large bags filled with heavy granular materials, such as salt, sand, and fertilizer. (See Applicant's disclosure, page 1, lines 12-17). A distinguishing feature of the invention is that upper portions of large bags are tightly clamped to the carrier by jaws. In a preferred embodiment, the jaws have opposing angular teeth which grip the upper portions of the bags.

The applied references neither disclose or suggest a cart for transporting large bags filled with heavy granular materials, such as salt, sand and fertilizer. Mascio (Italy) and Perez U.S. 4,989,889 disclose tubular shopping carts. Hsieh U.S. 5,951,037 discloses a tubular luggage cart. White U.S. 5,621,950 discloses a paper clip with teeth.

Generic claims 1, 14, 24, 28 and 29 are directed to the combination of a cart and a carrier mounted on an upper portion of a cart having the positive limitations of (1) a pair of elongated jaws, (2) a means for clamping and releasing the jaws from an upper portion of a closed bag or

sack, and (3) a handle attached to at least one of the jaws. As used in Applicants' disclosure and claims, the meanings of the words "jaws" and "clamping" are the ordinary dictionary meanings. "Clamping" (Webster's Dictionary, 10th Ed. - Exhibit "B") denotes "pressing two or more parts together firmly" and jaws (Webster's Dictionary, 10th Ed. - Exhibit C) denotes "opposable parts that open and close for crushing something between them".

Claim 14 is further patentably distinguishable from the references by the positive limitation of gripping surfaces on each of the jaws.

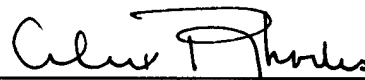
Claims 10 and 28 are further patentably distinguishable by the positive limitation of a releasable (detachable) carrier for a bag or a sack. (Note Mascio has a releasable bag).

Claim 22 which depends from claim 5 is further patentably distinguishable by the positive limitation of a thin metal strip having a plurality of outward extending tabs for forming a gripping surface.

Since the remaining claims depend from the above claims, for the same reasons as the above claims, they are patentably distinguishable from the references.

In view of the above, favorable action by the Examiner is respectfully requested and that this case be passed for allowance. Although no further changes are believed necessary for allowance, should the Examiner feel differently, a telephone call from the Examiner would be appreciated.

Respectfully submitted,



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Dated: March 27, 2001

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